

**OROVILLE FACILITIES RELICENSING
CULTURAL RESOURCES WORK GROUP
Draft Study Plan**

Study CUL.S.1 – Cultural Resources Inventory

Objectives of Study

To address Cultural Resources Issue Statement CR1, the objective of this study is to determine the nature and distribution of cultural resources (including archaeological sites, historic resources, and traditional use areas) that could be directly or indirectly affected by the Oroville Facilities. The study is to be conducted in compliance with the requirements of applicable state and federal laws, regulations, policies and guidelines, including: 1) the American Antiquities Act; 2) the National Historic Preservation Act; 3) the National Environmental Policy Act; 4) the American Indian Religious Freedom Act; 5) the Native American Graves Protection and Repatriation Act; and 6) the California Environmental Quality Act.

Relationship to Relicensing/Need for Study

The Federal Power Act of 1920 requires that the Federal Energy Commission (FERC) consider the effects of their actions on historic-era and archaeological resources. In addition, FERC must comply with Section 106 of the National Historic Preservation Act and other federal laws noted above prior to issuing a new hydroelectric license for the Oroville Facilities project. When making certain discretionary decisions, the Department of Water Resources must comply with the California Environmental Quality Act and other applicable state laws. These laws and associated regulations require the consideration of potential effects on and impacts to cultural resources that may be eligible for inclusion in the National Register of Historic Places (National Register) or the California Register of Historical Resources (California Register). An inventory of these potentially significant resources is needed before these considerations can be properly made.

Previous archaeological inventories have been conducted within the Oroville Facilities project area, and researchers have previously collected baseline ethnographic information. These data will be carefully reviewed as an initial step during the Cultural Resources inventory study. However, the existing information is known to be incomplete, and must be updated under current laws, standards and guidelines to fully understand the nature and distribution of cultural resources within the project area. These data will then be used to evaluate known cultural resources against the eligibility criteria of the National and California Registers (see Cultural Resources Evaluation – Study Plan CUL.S.2). This step will then allow for an assessment of project-related effects on significant cultural resources, and development of a management plan to protect and preserve these resources during

the term of the new hydroelectric license (see Cultural Resources Management – Study Plan CUL.S.3).

Study Area

Within the Oroville Facilities project boundary (as established by FERC) and appropriate areas outside this boundary (e.g., low-flow area between the diversion area and the northeast corner of the Wildlife Area, adjacent public lands used by recreational visitors where impacts to sites could be occurring, nearby areas of traditional and sacred values that could be affected by the project, etc.). Inventory areas may be further expanded if data indicate that potentially significant cultural resources are, or are likely to be, affected by the Oroville Facilities project. DWR and FERC will, in consultation with the State Historic Preservation Officer (SHPO), Native American tribes and other interested and knowledgeable members of the public, establish the Area of Potential Effects, as defined in the regulations implementing Section 106 of the National Historic Preservation Act.

Methodology and Analysis

The cultural resource inventory will include background research, oral interviews, tribal and agency consultation/coordination, field surveys, data analysis and reporting. The National Park Service, the Bureau of Land Management, the US Forest Service, and the California Office of Historic Preservation have issued standards and guidelines for conducting cultural resource inventories. These standards and guidelines will be used to help refine the procedures to be implemented during the cultural resources inventory.

Task 1. Background Research

Background research is mandated by 36 CFR 800.4(a)(2-4), the regulations issued by the federal Advisory Council on Historic Preservation (ACHP) that implement Section 106 of the National Historic Preservation Act (NHPA). The purpose of this background research is to gather information to help identify potentially important cultural resources within the project area before fieldwork is begun. According to the ACHP's regulations, research must be adequate for its purpose, but does not have to be exhaustive. DWR and FERC must, however, make a "reasonable and good faith effort" to collect information at a level of effort appropriate to the scale and impact of the undertaking [36 CFR 800(b)(1)].

The purpose of the background research is to aid in the identification of all cultural resources that may be listed in or eligible for listing in the National Register or the California Register. This includes prehistoric archaeological sites, historic-era archaeological sites, historic buildings, structures and objects, and Traditional Cultural Properties (TCPs). Each of these property types requires research in different sources.

Archaeological Resources: Existing information on archaeological sites of all periods (historic and prehistoric) that have been previously recorded within the study area, and reports on previously conducted archaeological work within the Oroville Facilities project area, will be assembled as an initial task. Most of this information for the Lake Oroville vicinity is compiled at the Northeast Information Center (NEIC) of the California Historical Resources Information System, located at California State University (CSU), Chico, which serves as one of 12 statewide repositories for archaeological site location and other information. This includes cultural properties listed on the National and California registers, archaeological site record forms and base maps, and copies of regional archaeological survey and excavation reports.

Where appropriate, DWR will also contact government agency (e.g., Bureau of Land Management, US Forest Service, Department of Parks and Recreation) officials and other archaeologists who have additional information, particularly in relation to archaeological investigations performed during construction of the Lake Oroville Facilities. Other information that is typically collected in conjunction with the archaeological record search relates to the general prehistory and history of the region that will contribute to the development of local and regional overviews of the project area.

Historic-Era Resources: The primary goal of the background research for historic-era resources is to collect information that will assist archaeologists in identifying potentially important historic-era cultural resources while in the field. Knowing where to look helps to focus fieldwork; while knowledge of the types of resources that may be encountered helps to put them in broader cultural context that contributes to the recording and evaluation of these resources. A wide variety of repositories will be visited and numerous sources will be consulted. Among these are the County Recorder's Office, Butte County Historical Society, US Forest Service offices, Bureau of Land Management offices, California Department of Parks and Recreation offices, California State University, Chico and University of California, Berkeley Bancroft libraries, and the California State Library (California Section). Other sources that will also be examined include the U.S. General Land Office plat maps and survey notes, homestead entries and mining claims, outdated US Geological Survey (USGS) and US Army Tactical maps, official county maps, published histories, and academic theses. In addition, individuals and representatives of organizations, such as the Butte County Historical Society, will be interviewed about the location, condition, and importance of cultural resources in the study area.

Ethnography and Ethnohistory: Research will be conducted in published and unpublished documents pertaining to the Maidu Peoples who resided in the Lake Oroville area in precontact times and have continued to reside in their traditional territory. These research materials are available in repositories and archives such as local Butte County public libraries, university libraries and Special Collections in Chico, Sacramento, and Davis, the State Library in Sacramento, the Bancroft Library at University of California Berkeley, and the National Archives in San Bruno.

These materials will be carefully reviewed and the pertinent information recorded. This documentary investigation will provide background information for the Traditional Cultural Properties study, which will be based on oral interviews with local knowledgeable Native Americans (see field survey section).

Geomorphological and Biotic Issues: Inasmuch as most human activity is linked in some fashion to the availability of food, water, and various raw materials (Harris 1968; Smith 1983; Steward 1955; White 1959), knowledge about the distribution of different natural resources provides important clues on the potential location and understanding of archaeological and other cultural properties. By the same token, geologic and other natural and cultural processes (e.g., erosion, soil formation, and mining) can, at times, conceal or destroy archaeological and other resource types (Brown 1997; Butzer 1982), making an understanding of these events a critical component to the interpretation of resource inventory results. With this in mind, biotic, geologic/edaphic, hydrologic, and geomorphologic data from published and newly acquired sources will be assembled and converted to a Geographic Information System (GIS) format to provide information about more and less likely locations for specific types of cultural resources that may be identified or could have existed in the past.

Task 2. Tribal and Agency Consultation/Coordination

Archaeological and Historic-Era Resources: It is the goal of DWR to work with Native American groups to establish protocols for continued interaction on the concerns and interests of the local community as they relate to the Cultural Resources Inventory required for the Oroville Relicensing Project. Relevant knowledge held by local historians and others (including former researchers familiar with the Oroville area) will also be sought during the inventory study to provide for a more complete understanding of the cultural resources within the project area.

As noted above, DWR will also be consulting with relevant federal and state agencies such as the US Forest Service, Bureau of Land Management, California Department of Parks and Recreation, FERC, and the SHPO. The agency consultation will include both baseline cultural resources information gathering, as well as discussions on regulatory and permitting requirements relevant to the Cultural Resources Inventory.

Ethnography and Ethnohistory: In accordance with the interests of the Cultural Resources Work Group, Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR Part 800), and the FERC relicensing requirements, DWR will consult closely with the tribes to develop research plans and a protocol for conducting the background research. Importantly, the team will also consult closely with the tribes to develop research plans and protocol for the oral interviews; the nature of the oral interviews and Traditional Cultural Properties study requires a joint effort of the tribes and the ethnographic team used by DWR.

Task 3. Field Surveys and Oral Interviews

Archaeological and Historic-Era Resources: Given the known diversity and location of archaeological and historical resources within the Area of Potential Effects (APE) and the magnitude of known and/or foreseeable impacts related to the operation of the Oroville Facilities, a likely variable and staged approach to on-the-ground inventory is most appropriate. Thus, areas in the reservoir fluctuation zone, near developed recreational facilities, and perhaps elsewhere in the APE where known or suspected project-related impacts are occurring will be completely examined (see Delacorte et al. 2001), while more peripheral localities, where few project-related impacts are anticipated, will be probabilistically sampled to determine the nature of the cultural resources and need for any additional work.

Once in the field, crews will locate their starting and subsequent positions and site locations using hand-held global positioning system (GPS) units calibrated to Universal Transverse Mercator (UTM) coordinates that are easily downloaded into the project GIS database. Crew members will then be spaced at appropriate intervals to accommodate local topographic, floristic, and other conditions and the pedestrian survey will be conducted in a manner conducive to safely and efficiently examining the ground surface for cultural resources.

When resources are encountered, they will be documented in accordance with current federal, state, and professional standards as sites, structures, objects, isolated finds, etc., taking into account the nature and age of the resource (guidelines are established in publications such as the California Office of Historic Preservation 1995 and National Park Service 1983). Appropriate forms will be completed, photographs will be taken, and notes will be used to document artifacts and features that may be present. Crews will prepare a map showing the site boundaries and relevant topographic and natural features, along with the type and distribution of significant cultural remains (e.g., artifact concentrations, features, areas of discolored soil). Depending on the size and complexity of sites, maps will be drafted using either a compass and tape or a hand-held GPS unit tied into a site datum. To facilitate later management decisions, information concerning previous or on-going impacts to archaeological and historic-era sites will be noted in the field.

Ethnography and Ethnohistory: Oral interviews will be held with elders and other knowledgeable members of the Native American community in order to identify locations of sensitivity and concern to them. These interviews will be conducted at times and in places that are convenient for the interviewees, although it will be a goal to conduct some interviews in the field at the locations of concern. This information will be maintained at the level of confidentiality requested by the tribes.

Task 4. Data Analysis and Reporting

Archaeological and Historic-Era Resources: Apart from the numerous site records and site record updates produced as a result of the survey, a final report that meets or exceeds the Secretary of the Interior's standards for the identification and reporting of archaeological sites will be prepared. While confidential locational information will not be presented in reports intended for public distribution, summary data on the total number and condition of historic and prehistoric sites can be assessed and presented to a wider audience.

Certain preliminary analyses and interpretations of inventory results as they relate to the future studies and management concerns will be presented in the inventory report(s). This will include conversion of background research and survey data into electronic and GIS formats that can be used by agency, tribal, and archaeological personnel to readily analyze and model the density and distribution of cultural properties within the Area of Potential Effects. Other issues that might profitably be addressed with the survey data relate to existing and future impacts to cultural properties resulting from Lake Oroville operations. For example, have previously recorded sites been covered by sediment, extensively eroded, and/or vandalized, and how pervasive is the problem? Information and questions raised by the survey will provide valuable insights and concrete data for additional study plans (e.g., CUL.S.2 – Cultural Resources Evaluation and CUL.S.3 – Cultural Resources Management) that address specific resource concerns and will allow DWR and FERC to fully comply with Section 106 of the NHPA.

Ethnography and Ethnohistory: The data will be reviewed and the salient information selected for and presented in at least three related reports; 1) the ethnographic context; 2) the ethnohistoric background; and 3) the Traditional Cultural Properties (TCP) study. The data analysis and reporting will be conducted according to state and federal standards and guidelines. Bulletin 38 of the National Park Service provides specific guidance for the Traditional Cultural Property study (National Park Service 1990).

Results/Products

It is anticipated that the following products will be developed during this study:

- Archaeological Resources Inventory
- Historic-Era Resources Inventory
- Ethnographic Context, Ethnohistoric Background, and Traditional Cultural Properties Inventory

The format and content of these documents, including maps, forms, and technical appendices, if appropriate, will conform with current regulatory and professional standards (e.g., California Office of Historic Preservation 1995 and National Park Service 1983). The preparation and distribution of these documents will be handled in full recognition of the confidential nature of certain sensitive cultural resources data. Confidential archaeological and historic-era resource information will be made

available only to managing and responsible parties (DWR, FERC, SHPO, US Forest Service, BLM, DPR, Native American tribes), and will not be distributed to the public. Protocols relative to the treatment of sensitive ethnographic and ethnohistoric information will be established by DWR and the Native American peoples and will be adhered to during report preparation and distribution. Summary or non-confidential reports that do not include sensitive cultural resources information will be prepared for broader distribution.

Coordination with Other Resource Areas/Studies

It is anticipated that information gathered by the Environmental Work Group (e.g., wildlife and botanical resource inventories) will be helpful to the Cultural Resources Inventory and future cultural resource studies (e.g., what native plants may be suitable for future archaeological site stabilization efforts?). Studies of geomorphology and hydrology may help provide baseline paleoenvironmental information.

The results of the Cultural Resources Inventory Study will provide direct input to the Cultural Resources Evaluation Study (CUL.S.2) and Cultural Resources Management Study (CUL.S.3), and will be used to address project-related effects and define appropriate long-term management of cultural resources in accordance with federal guidelines (e.g., National Park Service 1985).

The presence of significant cultural resources may affect proposed development plans being considered by DWR or other Work Groups. For example, considerations by the Recreation and Socioeconomics Work Group to develop new facilities (e.g., recreational trails, boat ramps, etc.) will need to be considered in light of the cultural resources inventory, evaluation, and management studies being conducted by DWR.

In addition, close coordination with other resource groups is needed to be aware of potential studies that may influence the Area of Potential Effects for the cultural resources inventory (e.g., potential desire for a new recreational facility outside the FERC boundary).

Schedule

This study will be conducted from about March of 2002 to November of 2002. Some additional inventory work may be needed in 2003. The first draft of the cultural resources inventory reports will be produced by March 2003.

Issues, Concerns, Comments Tracking and/or Compliance Requirements

This study plan was developed to address Issue Statement CR1 – Determine the nature and distribution of cultural resources within the Area of Potential Effects. Issue Statement CR1 encompasses a number of individual issues presented during the Oroville Facilities Alternative Licensing Process (concordance sheet to be attached). The Cultural Resources Inventory is intended to provide baseline information needed to address these issues, as well as to provide critical input to Issue Statements CR2, CR3, and CR4.

Compliance Requirements: The Oroville Facilities project must comply with the federal and state laws and regulations noted above.

References

- Brown, A. C.
1997 *Alluvial Geoarchaeology*. Cambridge University Press, Great Britain.
- Butzer, K. W.
1982 *Archaeology as Human Ecology*. Cambridge University Press, Great Britain.
- Delacorte, Michael G., Adrian Praetzelis, and Mark Selverston
2001 *Lake Oroville Fluctuation Zone Archaeological Survey Work Plan*. On file, California Department of Water Resources, Sacramento.
- Harris, M.
1968 *The Rise of Anthropological Theory: A History of Theories of Culture*. Harper and Row, New York.
- National Park Service
1983 *Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines*. Washington, D.C.
- 1985 *Guidelines for Local Surveys: A Basis for Preservation Planning*. *National Register Bulletin* 24. Washington, D.C.
- 1990 *Guidelines for Evaluating and Documenting Traditional Cultural Properties*. *National Register Bulletin* 38. Washington, D.C.
- Office of Historic Preservation
1995 *Instructions for Recording Historical Resources*. Sacramento.
- Smith, E. A.
1983 *Anthropological Applications of Optimal Foraging Theory: A Critical Review*. *Current Anthropology* 24:625-651.
- Steward, J. H.
1955 *Theory of Culture Change*. University of Illinois Press, Urbana.